

# BIRCH, STEWART, KOLASCH & BIRCH, LLP

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PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING

## COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:

METHOD FOR EVALUATING ELIMINATION OF MICROORGANISMS AND APPARATUS FOR EVALUATING ELIMINATION OF MICROORGANISMS

Fill in Appropriate

the specification of which is attached hereto. If not attached hereto, the application is identified by the attorney docket number as set forth above and/or the following:

Information -  
For Use Without  
Specification  
Attached:

The specification was filed on \_\_\_\_\_ as  
United States Application Number \_\_\_\_\_  
and amended on \_\_\_\_\_ (if applicable) and/or  
the specification was filed on April 2, 2003 \_\_\_\_\_ as PCT  
International Application Number PCT/US/03/01250 \_\_\_\_\_  
amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representative or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

Insert Priority  
Information:  
(if appropriate)

2002-104306 (Number)	JAPAN (Country)	April 5, 2002 (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
2002-326078 (Number)	JAPAN (Country)	November 8, 2002 (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
2003-102054 (Number)	JAPAN (Country)	April 4, 2003 (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

Insert Provisional  
Application(s):  
(if any)

(Application Number)	(Filing Date)
_____ (Application Number)	_____ (Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Insert Requested  
Information:  
(if appropriate)

Country	Application Number	Date of Filing (Month/Day/Year)
_____	_____	_____
_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s), including for continuation-in-part application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S.  
Application(s):  
(if any)

(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
_____	_____	_____

I hereby appoint the practitioners at CUSTOMER NO. 02292 as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the United States Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

**CUSTOMER NO. 02292 (BIRCH, STEWART, KOLASCH & BIRCH, LLP)**

Telephone: (703) 205-8000

Facsimile: (703) 205-8050

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made in information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First  
or Sole Inventor  
Inventor's Signature  
(Print Below This  
Document is Signed)

Insert Residence  
Insert Citizenship

Insert Post Office  
Address

Full Name of Second  
Inventor, if any;  
see above

Full Name of Third  
Inventor, if any;  
see above

Full Name of Fourth  
Inventor, if any;  
see above

Full Name of Fifth  
Inventor, if any;  
see above

Full Name of Sixth  
Inventor, if any;  
see above

<b>GIVEN NAME/FAMILY NAME</b> Kazuo NISHIKAWA	<b>INVENTOR'S SIGNATURE</b> <i>Kazuo Nishikawa</i>	<b>DATE*</b> 6. Sept. 2004
<b>Residence (City, State &amp; Country)</b> Osaka-shi, Osaka, Japan		<b>CITIZENSHIP</b> Japanese
<b>MAILING ADDRESS (Complete Street Address including City, State &amp; Country)</b> c/o Sharp Kabushiki Kaisha, 22-22, Nagaike-cho, Abeno-ku, Osaka-shi, Osaka 545-0013, Japan		
<b>GIVEN NAME/FAMILY NAME</b> Hisaharu YAGI	<b>INVENTOR'S SIGNATURE</b> <i>Hisaharu Yagi</i>	<b>DATE*</b> 6. Sept. 2004
<b>Residence (City, State &amp; Country)</b> Osaka-shi, Osaka, Japan		<b>CITIZENSHIP</b> Japanese
<b>MAILING ADDRESS (Complete Street Address including City, State &amp; Country)</b> c/o Sharp Kabushiki Kaisha, 22-22, Nagaike-cho, Abeno-ku, Osaka-shi, Osaka 545-0013, Japan		
<b>GIVEN NAME/FAMILY NAME</b> Yoshihiro SHIMIZU	<b>INVENTOR'S SIGNATURE</b> <i>Yoshihiro Shimizu</i>	<b>DATE*</b> 6. Sept. 2004
<b>Residence (City, State &amp; Country)</b> Osaka-shi, Osaka, Japan		<b>CITIZENSHIP</b> Japanese
<b>MAILING ADDRESS (Complete Street Address including City, State &amp; Country)</b> c/o Sharp Kabushiki Kaisha, 22-22, Nagaike-cho, Abeno-ku, Osaka-shi, Osaka 545-0013, Japan		
<b>GIVEN NAME/FAMILY NAME</b> Tetsuyuki OHTANI	<b>INVENTOR'S SIGNATURE</b> <i>Tetsuyuki Ohtani</i>	<b>DATE*</b> 6. Sept. 2004
<b>Residence (City, State &amp; Country)</b> Osaka-shi, Osaka, Japan		<b>CITIZENSHIP</b> Japanese
<b>MAILING ADDRESS (Complete Street Address including City, State &amp; Country)</b> c/o Sharp Kabushiki Kaisha, 22-22, Nagaike-cho, Abeno-ku, Osaka-shi, Osaka 545-0013, Japan		
<b>GIVEN NAME/FAMILY NAME</b> Hideo NOJIMA	<b>INVENTOR'S SIGNATURE</b> <i>Hideo Nojima</i>	<b>DATE*</b> 18. Nov. 2004
<b>Residence (City, State &amp; Country)</b> Osaka-shi, Osaka, Japan		<b>CITIZENSHIP</b> Japanese
<b>MAILING ADDRESS (Complete Street Address including City, State &amp; Country)</b> c/o Sharp Kabushiki Kaisha, 22-22, Nagaike-cho, Abeno-ku, Osaka-shi, Osaka 545-0013, Japan		
<b>GIVEN NAME/FAMILY NAME</b> Masato AOKI	<b>INVENTOR'S SIGNATURE</b> <i>Masato Aoki</i>	<b>DATE*</b> 18. Nov. 2004
<b>Residence (City, State &amp; Country)</b> Osaka-shi, Osaka, Japan		<b>CITIZENSHIP</b> Japanese
<b>MAILING ADDRESS (Complete Street Address including City, State &amp; Country)</b> c/o Kitasato Research center of Environmental Science, 15-1, Kitasato 1-chome, Sagamihara-shi, Kanagawa, 228-0829, Japan		

\*DATE OF SIGNATURE

ADDED PAGE TO COMBINED DECLARATION AND POWER OF  
ATTORNEY FOR SIGNING BY ADMINISTRATOR(TRIX),  
EXECUTOR(TRIX) OR LEGAL REPRESENTATIVE ON BEHALF OF  
DECEASED OR INCAPACITATED INVENTOR (37 CFR 1.42 AND 1.43)

I,

Miyuki AOKI

*(type or print name(s) of administrator(trix), executor(trix) legal representative or all heirs)*

hereby declare that I am a citizen of Japan

residing at 43-6, Akabane, Chigasaki-Shi,

Kanagawa 253-0001, Japan

and that I am executing and signing the declaration to which this is attached as *(check one)*:

☐  
☐  
☒

the administrator(trix) of  
executor(trix) of the last will and testament of  
legal representative (or heirs) of

Masato AOKI

Full name of (first, second, etc.) deceased or incapacitated inventor  
Japan

Country of citizenship of deceased or incapacitated inventor

Chigasaki-Shi, Kanagawa, Japan

Residence (City, State, and Country) of deceased or incapacitated inventor

43-6, Akabane, Chigasaki-Shi, Kanagawa 253-0001, Japan

Mailing Address of deceased or incapacitated inventor

NOTE:

The name of the first, second etc. deceased or incapacitated inventor should preferably also be filled in at the appropriate prior space of the declaration adding the words "deceased-completed on added page" or "incapacitated-completed on added page."

That, upon information and belief, I aver those facts which the inventor is required to state.

Date: 8. Nov. 2006

Miyuki Aoki

(Signature of administrator(trix), executor(trix)  
legal representative (or all heirs))

NOTE:

Application may be made by the heirs of the inventor if a certificate of the court will establish that they are all the heirs and the estate was not required to appoint an administrator. If the heirs are signing add lines for all the heirs to sign. MPEP § 409.01(a).